

MINUTES OF TOWN BOARD MEETING  
OF THE TOWN OF BRIGHTON, COUNTY OF  
MONROE, NEW YORK, HELD AT THE  
BRIGHTON TOWN HALL, 2300 ELMWOOD  
AVENUE, ROCHESTER, NEW YORK  
April 27, 2016

Present:

Supervisor William Moehle  
Councilmember James Vogel  
Councilmember Louise Novros  
Councilmember Jason DiPonzio  
Councilmember Christopher Werner

Daniel Aman, Town Clerk  
Kenneth Gordon, Attorney for the Town  
Mark Henderson, Chief of Police  
Ramsey Boehner, Town Planner  
Suzanne Zaso, Director of Finance

**MEETING CALLED TO ORDER AT 7:02 PM:**

**PRESENTATIONS/RECOGNITIONS:**

- The Days of Remembrance – Yom Hashoah *National Holocaust Commemoration Proclamation*
- Arbor Day April 29, 2016 - *Proclamation*
- 2015 Town of Brighton Year End Financial Report - Presentation

**OPEN FORUM:**

No speakers

**APPROVAL OF AGENDA:**

Motion by Councilmember James Vogel seconded by Councilmember Christopher Werner to approve the agenda

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

**PUBLIC HEARINGS:**

**MATTER RE:** Removal of trees determined to be of poor health located at #764 S.Grosvenor Rd, #155 Chelmsford Rd. and #59 Elwell Dr. (*see Resolution #1*).

(Complete transcript under separate cover)

Motion by Councilmember James Vogel seconded by Councilmember Christopher Werner that the Town Board adopt the resolution as prepared by the Attorney for the Town as set forth in Exhibit No. 1 attached

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

**MATTER RE:** Proposed Local Law regarding parking restrictions along Glen Road.

(Complete transcript under separate cover)

Matter Held

**MATTER RE:** Proposed local Law amending Chapter 147 of the Town Code, Sewer Rents (*see Resolution #3*).

(Complete transcript under separate cover)

Motion by Councilmember Louise Novros seconded by Councilmember Jason DiPonzio that the Town Board adopt the resolution as prepared by the Attorney for the Town as set forth in Exhibit No. 2 attached

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

**BIDS:**

**MATTER RE:** Approval to solicit for proposals for the purchase of a replacement ambulance by the Brighton Ambulance Services District for 2016 (*see Resolution #4 and letter dated April 19, 2016 from Suzanne Zaso, Director of Finance*).

Motion by Councilmember Jason DiPonzio seconded by Councilmember James Vogel that the Town Board adopt the resolution as prepared by the Attorney for the Town as set forth in Exhibit No. 3 attached

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

**COMMUNICATIONS:**

**FROM:** Dianne Burdett, Court Administrator to Supervisor and members of the Town Board dated April 20, 2016 announcing her retirement after 27 years of service with the town effective April 22, 2016.

**FROM:** Linda M. Gilbert RMC, CMC, President NY State Town Clerks Association Inc. congratulating the Town on Town Clerk Daniel Aman's recent award of Association's certification as a Registered Municipal Clerk.

**FROM:** Raymond Wager and associates discussed and provided an Audit report for the Town's Basic Financial Statements.

Motion by Councilmember Christopher Werner seconded by Councilmember Jason DiPonzio to receive and file the aforementioned communications

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

**COMMITTEE REPORTS:**

Community Services Committee - Met on 4/20/16; Next meeting on 5/18/16 at 9:30 AM at Brookside school.

Finance and Administrative Services – Met on 4/19/16; next meeting 5/14/16 at 8:30 AM in the Downstairs Meeting Room at Town Hall.

Public Safety Services – Has not met since the last Town Board meeting; next meeting 5/10/16 at 8:00 AM in the Downstairs Meeting Room at Town Hall.

Public Works Services – Has not met since the last board meeting; next meeting 5/3/16 at 9:00 AM in the Downstairs Meeting Room at Town Hall.

**OLD BUSINESS:****NEW BUSINESS:**

**MATTER RE:** Reading and approval of claims

Motion by Councilmember Jason DiPonzio seconded by Councilmember James Vogel that the Supervisor read and approve for payment the claims as set forth in Exhibit No. 4 attached

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

**MATTER RE:** Authorize approval for Supervisor to execute extension to agreement with AVS to provide RPS V4 consulting and updating services for the RPS V4 software for the Town Assessor's office for the year 2016 (*see Resolution #5 and memorandum dated April 4, 2016 from Elaine Ainsworth, Town Assessor*).

Motion by Councilmember Jason DiPonzio seconded by Councilmember James Vogel that the Town Board adopt the resolution as prepared by the Attorney for the Town as set forth in Exhibit No. 5 attached

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

**MATTER RE:** Receive and file petitions and associated documents relating to proposed Whitney Lane Refuse District and set May 25, 2016 as Public Hearing date for same (see *Resolution #6 and associated documents from Chad Roscoe, Jr. Town Engineer*).

Motion by Councilmember James Vogel seconded by Councilmember Christopher Werner that the Town Board adopt the resolution as prepared by the Attorney for the Town as set forth in Exhibit No. 6 attached

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

**MATTER RE:** Approval to declare Highway Department battery charging system analyzer as surplus and authorize disposal of same through municipal auction program (see *Resolution #7 and letter dated April 18, 2016 from Timothy Anderson Deputy Highway Superintendent*).

Motion by Councilmember James Vogel seconded by Councilmember Jason DiPonzio that the Town Board adopt the resolution as prepared by the Attorney for the Town as set forth in Exhibit No. 7 attached

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

**MATTER RE:** Authorize Supervisor to execute agreement with Monroe County for the Town to conduct tobacco compliance checks within Brighton (see *Resolution #8 and letter dated April 19, 2016 from Police Chief Mark Henderson*).

Motion by Councilmember Louise Novros seconded by Councilmember James Vogel that the Town Board adopt the resolution as prepared by the Attorney for the Town as set forth in Exhibit No. 8 attached

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

**MATTER RE:** Authorize increase in budget appropriations within various road repair accounts and increase anticipated revenues in the Highway Department by \$165,000 to be fully supported by NY State grant funding (see *Resolution #9 and letter dated April 18, 2016 from Suzanne Zaso, Director of Finance*).

Motion by Councilmember James Vogel seconded by Councilmember Christopher Werner that the Town Board adopt the resolution as prepared by the Attorney for the Town as set forth in Exhibit No. 9 attached

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

**MATTER RE:** Authorize bid awards to Empire Wrecking Co., Inc. to provide demolition services and to Envoy Environmental Consultants Inc. to provide air monitoring and sampling services for two particular properties, with approval to execute any necessary change orders that do not collectively exceed ten percent of the awarded contract prices (see *Resolution #10 and letters dated April 18, 2016 from Chad Roscoe, Jr. Engineer*).

Motion by Councilmember Christopher Werner seconded by Councilmember Jason DiPonzio that the Town Board adopt the resolution as prepared by the Attorney for the Town as set forth in Exhibit No. 10 attached

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

**MATTER RE:** Receive and file revised Draft Environmental Impact Statement dated April 20, 2016 received from The Daniele Family of Companies for the project known as Whole Foods Plaza (see Resolution #11 and letter dated April 25, 2016 from Ramsey Boehner, Town Environmental Review Liaison Officer).

Motion by Councilmember Jason DiPonzio seconded by Councilmember James Vogel that the Town Board adopt the resolution as prepared by the Attorney for the Town as set forth in Exhibit No. 11 attached

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

**MATTER RE:** Receive and file petitions and associated documents relating to proposed Susquehanna Road and Northumberland Road Storm Drainage District and set May 25, 2016 as Public Hearing date for same (see Resolution #12 and letter dated April 20, 2016 from Chad Roscoe, Town Jr. Engineer).

Motion by Councilmember James Vogel seconded by Councilmember Jason DiPonzio that the Town Board adopt the resolution as prepared by the Attorney for the Town as set forth in Exhibit No. 12 attached

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

**MATTERS OF THE SUPERVISOR:**

**MATTERS OF THE ATTORNEY TO THE TOWN:**

**MATTERS OF THE TOWN CLERK:**

**MATTERS OF THE BOARD:**

**MOTION TO GO INTO EXECUTIVE SESSION AT 8:59 PM:**

Motion by Councilmember Jason DiPonzio seconded by Councilmember Louise Novros to go into executive session to discuss employment of a particular person and matters of litigation.

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

**MOTION TO EXIT EXECUTIVE SESSION AT 9:54 PM:**

Motion by Councilmember James Vogel seconded by Councilmember Christopher Werner to come out of executive session at 9:54 PM

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

**ADJOURNED AT 9:55 PM:**

Motion by Councilmember Jason DiPonzio seconded by Councilmember James Vogel to adjourn at 9:55 PM

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

**CERTIFICATION:**

I, Daniel Aman, 131 Elmore Road, Rochester, NY do hereby certify that the foregoing is a true and accurate record of the proceeding of the Town of Brighton, County of Monroe, State of New York meeting held on the 27th day of April 2016 and that I recorded said minutes of the aforesaid meeting of the Town Board of the Town of Brighton, New York.

At a Town Board Meeting of the Town of Brighton, Monroe County, New York, held at the Brighton Town Hall, 2300 Elmwood Avenue, in said Town of Brighton on the 27th day of April, 2016.

**PRESENT:**

WILLIAM W. MOEHLE,  
Supervisor

JAMES R. VOGEL  
LOUISE NOVROS  
CHRISTOPHER K. WERNER  
JASON S. DIPONZIO

Councilpersons

**WHEREAS**, pursuant to the provisions of the Chapter 175 of the Town Code, the Town Board previously received and filed communication and reports regarding the removal of town trees consisting of a 49 inch Silver Maple located in front of 764 South Grosvenor Road, a 32 inch Norway Maple in front of 155 Chelmsford Road and a 47 inch Silver Maple in front of 59 Elwell Drive, and

**WHEREAS**, the Town Board duly scheduled a Public Hearing to be held on the 27th day of April 2016 at 7:00 p.m., to consider the proposed removal of said trees; and

**WHEREAS**, pursuant to the provisions of Section 175-8 of the Town Code, notice of such public hearing was sent by first class mail at least 20 days prior to the scheduled hearing addressed to the owners of each of the properties adjoining the above referenced trees and the owners directly across the Town highway from and the properties contiguous to the adjoining properties, and

**WHEREAS**, such public hearing was duly called and held on April 27, 2016 at 7:00 pm and all persons having an interest in the matter having had an opportunity to be heard;

**NOW, THEREFORE**, on motion of Councilperson \_\_\_\_\_, seconded by Councilperson \_\_\_\_\_,

**BE IT RESOLVED**, that all written comments provided to the Town at or

before the Public Hearing held on April 27, 2016 regarding the proposed tree removal be received and filed as part of the record of the hearing; and further

**BE IT RESOLVED**, that pursuant to the provisions of Chapter 175 of the Town Code, and based on the record of the Public Hearing, the Town Board hereby authorizes the Commissioner of Public Works, and or his designee, to remove the above referenced trees in accordance with the provisions of Chapter 175 including but not limited to the arboricultural specifications and standards of practice in the Town Forestry Plan, and direct that replacement trees be planted in the vicinity of such locations.

Dated: April 27, 2016

William W. Moehle, Supervisor	Voting	_____
James R. Vogel, Councilperson	Voting	_____
Louise Novros, Councilperson	Voting	_____
Christopher K. Werner, Councilperson	Voting	_____
Jason S. DiPonzio, Councilperson	Voting	_____

At a Town Board Meeting of the Town of Brighton, Monroe County, New York, held at the Brighton Town Hall, 2300 Elmwood Avenue, in said Town of Brighton on the 27th day of April, 2016.

**PRESENT:**

WILLIAM W. MOEHLE,

Supervisor

JAMES R. VOGEL  
LOUISE NOVROS  
CHRISTOPHER K. WERNER  
JASON S. DIPONZIO

Councilpersons

**WHEREAS**, the Town Board duly scheduled a Public Hearing to be held on the 27<sup>th</sup> day of April 2016 at 7:00 p.m., to consider the adoption of a proposed Local Law to be known as "Sewer Rents Amendments Local Law" to amend the establishment of sewer rents, all as set forth in detail in the proposed Local Law; and

**WHEREAS**, such public hearing was duly called and held on April 27, 2016 at 7:00 pm and all persons having an interest in the matter having had an opportunity to be heard;

**NOW, THEREFORE**, on motion of Councilperson \_\_\_\_\_,  
seconded by Councilperson \_\_\_\_\_,

**BE IT RESOLVED**, that all written comments provided to the Town at the Public Hearing held on April 27, 2016 regarding the proposed Local Law be received and filed; and

**BE IT ENACTED BY THE TOWN BOARD OF THE TOWN OF BRIGHTON**, that pursuant to the provisions of Article 3 of the Municipal Home Rule Law of the State of New York, the Town Board hereby adopts the proposed amendments to Town Code Chapter 147, known as "Sewer Rents Amendments Local Law" by deleting Section 147-5 and amending Sections 147-3 and

147-4 and renumbering Section 147-6 all as set forth in detail in the attached Local Law; and it is further

**RESOLVED**, that the Clerk of the Town of Brighton shall within twenty days after the adoption of the Local Law file one certified copy thereof in the Office of the Town Clerk and file one certified copy in the Office of the Secretary of State of the State of New York

Dated: April 27, 2016

William W. Moehle, Supervisor	Voting	_____
James R. Vogel, Councilperson	Voting	_____
Louise Novros, Councilperson	Voting	_____
Christopher K. Werner, Councilperson	Voting	_____
Jason S. DiPonzio, Councilperson	Voting	_____



**SEWER RENTS AMENDMENTS LOCAL LAW**

**TOWN OF BRIGHTON, MONROE COUNTY, NEW YORK STATE**

**Section 1. Title:**

This Local Law shall be known as the Sewer Rents Amendments Local Law for the Town of Brighton.

**Section 2. Purpose:**

This Local Law amends Chapter 147 of the Town Code regarding the establishment of sewer rents.

**Section 3. Amendments:**

I. Sections 147-3 and 147-4 are hereby amended to read in their entirety as follows:

§147-3. Rents for the district.

Sewer rents are hereby established and imposed for the sewer systems in the Town serving the sewer district now existing, those hereafter created and extensions of either on behalf of said sewer district. In accordance with this chapter and General Municipal Law Article 14-F, the Town Board, through the annual budget process, shall cause the calculation of, public input on, and establishment of sanitary sewer rents for those properties within sanitary sewer districts and/or extensions thereof, as is appropriate. The Town Board from time to time by resolution may also cause the calculation of, public input on, and establishment of sanitary sewer rents for those properties within sanitary sewer districts and/or extensions thereof, as is appropriate.

§147-4. Determination of rents.

Once the annual tax rate for various sewer rent components has been determined, this rate will be multiplied by the total number of units derived, as outlined in § 147-2 A, B, C, D and E, to arrive at the sewer rent charge for each component. These annual sewer rent charges are included as separate line items on the annual property tax bill and shall be collected and enforced in the same manner and at the same time as provided by law for the collection and enforcement of Town taxes.

II. Section 147-5 is hereby deleted in its entirety.

III. Section 147-6 is hereby renumbered Section 147-5, and Section 147-7 is hereby renumbered 147-6.

40

41 **Section 4. Effective Date:**

42

43 This Local Law shall take effect immediately upon filing with the Secretary of State.

44

45 **Section 5. Severability:**

46

47 If any clause, sentence, phrase, paragraph or any part of this Local Law shall for any reason  
48 be adjudicated finally by a court of competent jurisdiction to be invalid, such judgment  
49 shall not affect, impair or invalidate the remainder of this Local Law, but shall be confined  
50 in its operation and effect to the clause, sentence, phrase, paragraph or part thereof, directly  
51 involved in the controversy or action in which such judgment shall have been rendered. It  
52 is hereby declared to be the legislative intent that the remainder of this Local Law would  
53 have been adopted had any such provision been excluded.

At a Town Board Meeting of the Town of Brighton, Monroe County, New York, held at the Brighton Town Hall, 2300 Elmwood Avenue, in said Town of Brighton on the 27th day of April, 2016.

**PRESENT:**

WILLIAM W. MOEHLE,  
Supervisor

JAMES R. VOGEL  
LOUISE NOVROS  
CHRISTOPHER K. WERNER  
JASON S. DIPONZIO

Councilpersons

**BE IT RESOLVED**, that correspondence dated April 19, 2016 from Finance Director Suzanne Zaso regarding a request to authorize the Brighton Ambulance Service District to solicit bids for the purchase of a replacement ambulance, be received and filed; and further

**BE IT RESOLVED**, that the Town Board hereby authorizes the Brighton Ambulance Service District to solicit bids for the purchase of a replacement ambulance.

Dated: April 27, 2016

William W. Moehle, Supervisor	Voting	_____
James R. Vogel, Councilperson	Voting	_____
Louise Novros, Councilperson	Voting	_____
Christopher K. Werner, Councilperson	Voting	_____
Jason S. DiPonzio, Councilperson	Voting	_____

CLAIMS FOR APPROVAL AT TOWN BOARD MEETING

April 27, 2016

THAT THE CLAIMS AS SUMMARIZED BELOW HAVING BEEN APPROVED BY THE RESPECTIVE DEPARTMENT HEADS AND AUDITED BY THE CHAIR OF THE FINANCE AND ADMINISTRATIVE SERVICES COMMITTEE ARE HEREBY APPROVED FOR PAYMENT.

A - GENERAL	\$	<u>195,128.67</u>
D - HIGHWAY		<u>76,883.70</u>
H - CAPITAL		<u>71,657.70</u>
L - LIBRARY		<u>37,013.98</u>
SF - FIRE DIST		<u>395.47</u>
SP-PARKS DISTRICT		21.24
SS - SEWER DIST		<u>43,623.63</u>
TA - AGENCY TRUST		<u>35,998.07</u>
TOTAL	\$	<u>460,722.46</u>

UPON ROLL CALL

MOTION CARRIED

APPROVED BY:

\_\_\_\_\_  
SUPERVISOR

\_\_\_\_\_  
COUNCIL MEMBER

\_\_\_\_\_  
COUNCIL MEMBER

\_\_\_\_\_  
COUNCIL MEMBER

\_\_\_\_\_  
COUNCIL MEMBER

TO THE SUPERVISOR:

I CERTIFY THAT THE VOUCHERS LISTED ABOVE WERE AUDITED BY THE CHAIR OF THE FINANCE AND ADMINISTRATIVE SERVICES COMMITTEE AND APPROVED BY THE TOWN BOARD ON THE ABOVE DATE AND ALLOWED IN THE AMOUNTS SHOWN. YOU ARE HEREBY AUTHORIZED AND DIRECTED TO PAY TO EACH OF THE CLAIMANTS THE AMOUNT OPPOSITE HIS NAME.

\_\_\_\_\_  
DATE

\_\_\_\_\_  
TOWN CLERK

At a Town Board Meeting of the Town of Brighton, Monroe County, New York, held at the Brighton Town Hall, 2300 Elmwood Avenue, in said Town of Brighton on the 27th day of April, 2016.

**PRESENT:**

WILLIAM W. MOEHLE,  
Supervisor

JAMES R. VOGEL  
LOUISE NOVROS  
CHRISTOPHER K. WERNER  
JASON S. DIPONZIO

Councilpersons

**BE IT RESOLVED**, that a memorandum dated April 4, 2016 from Town Assessor Elaine Ainsworth regarding a request to authorize the Supervisor to execute a one year extension to the Town's agreement with David Miller d/b/a Assessment and Valuation Services to provide RPS V4 software and service for 2016 at a cost not to exceed \$2,500.00, be received and filed; and further

**BE IT RESOLVED**, that the Town Board hereby authorizes the Supervisor to execute a one year extension to the Town's agreement with David Miller d/b/a Assessment and Valuation Services to provide RPS V4 software and service for 2016 at a cost not to exceed \$2,500.00.

Dated: April 27, 2016

William W. Moehle, Supervisor	Voting	_____
James R. Vogel, Councilperson	Voting	_____
Louise Novros, Councilperson	Voting	_____
Christopher K. Werner, Councilperson	Voting	_____
Jason S. DiPonzio, Councilperson	Voting	_____

At a Town Board Meeting of the Town of Brighton, Monroe County, New York, held at the Brighton Town Hall, 2300 Elmwood Avenue, in said Town of Brighton on the 27th day of April, 2016.

**PRESENT:**

WILLIAM W. MOEHLE,

Supervisor

JAMES R. VOGEL  
LOUISE NOVROS  
CHRISTOPHER K. WERNER  
JASON S. DIPONZIO

Councilpersons

**WHEREAS**, a Map, Plan and Report regarding the formation of the Whitney Lane Refuse District was filed in the Town Clerk's office on April 5, 2016 and a petition requesting the formation of said District was signed by residents representing in excess of one half of the assessed value of all residential taxable parcels in the proposed District, all pursuant to the provisions of Article 12 of the New York State Town Law; and

**WHEREAS**, the proposed District will provide a mechanism to pay for refuse services and garbage pickup for the homes on Whitney Lane and to have each home pay an equal share of the cost of said services. Said proposed District is to include all eight properties on Whitney Lane. No improvements are to be made by the proposed District; now therefore it is hereby

**ORDERED**, that correspondence from Junior Engineer Chad Roscoe regarding formation of the proposed District and correspondence from the Town Assessor dated April 6, 2016 and the above referenced petition be received and filed; and be it further

**ORDERED**, that the Town Board hereby sets a public hearing to consider the formation of said proposed District for May 25, 2016 at 7:00 p.m. or as soon thereafter as the matter can be heard at Brighton Town Hall, 2300 Elmwood Avenue, in the Town of Brighton, County of Monroe and State of New York to hear all persons who have an interest

in said proposed District formation; and be it further

**ORDERED**, that the Town Clerk be, and hereby is directed to publish a certified copy of this Order in the official newspaper of the Town and to post a certified copy of this Order on the signboard of the Town no sooner than twenty days and no later than ten days prior to said public hearing.

Dated: April 27, 2016

William W. Moehle, Supervisor	Voting	_____
James R. Vogel, Councilperson	Voting	_____
Louise Novros, Councilperson	Voting	_____
Christopher K. Werner, Councilperson	Voting	_____
Jason S. DiPonzio, Councilperson	Voting	_____

At a Town Board Meeting of the Town of Brighton, Monroe County, New York, held at the Brighton Town Hall, 2300 Elmwood Avenue, in said Town of Brighton on the 27th day of April, 2016.

**PRESENT:**

WILLIAM W. MOEHLE,  
Supervisor

JAMES R. VOGEL  
LOUISE NOVROS  
CHRISTOPHER K. WERNER  
JASON S. DIPONZIO

Councilpersons

**BE IT RESOLVED**, that correspondence dated April 18, 2016 from Deputy Highway Superintendent Timothy J. Anderson regarding a request to authorize the disposal through municipal auction of a surplus Battery Charging System Analyzer, be received and filed; and further

**BE IT RESOLVED**, that the Town Board hereby authorizes the disposal through municipal auction of a surplus Battery Charging System Analyzer.

Dated: April 27, 2016

William W. Moehle, Supervisor	Voting	_____
James R. Vogel, Councilperson	Voting	_____
Louise Novros, Councilperson	Voting	_____
Christopher K. Werner, Councilperson	Voting	_____
Jason S. DiPonzio, Councilperson	Voting	_____



At a Town Board Meeting of the Town of Brighton, Monroe County, New York, held at the Brighton Town Hall, 2300 Elmwood Avenue, in said Town of Brighton on the 27th day of April, 2016.

**PRESENT:**

WILLIAM W. MOEHLE,  
Supervisor

JAMES R. VOGEL  
LOUISE NOVROS  
CHRISTOPHER K. WERNER  
JASON S. DIPONZIO

Councilpersons

**BE IT RESOLVED**, that correspondence dated April 19, 2016 from Chief of Police Mark T. Henderson regarding a request to authorize the Supervisor to execute an agreement with Monroe County for the Town to perform tobacco compliance checks, be received and filed; and further

**BE IT RESOLVED**, that the Town Board hereby authorizes the Supervisor to execute an agreement with Monroe County for the Town to perform tobacco compliance checks and to execute any future agreements with Monroe County for same as recommended by the Town Chief of Police.

Dated: April 27, 2016

William W. Moehle, Supervisor	Voting	_____
James R. Vogel, Councilperson	Voting	_____
Louise Novros, Councilperson	Voting	_____
Christopher K. Werner, Councilperson	Voting	_____
Jason S. DiPonzio, Councilperson	Voting	_____

# EXHIBIT NO 9

At a Town Board Meeting of the Town of Brighton, Monroe County, New York, held at the Brighton Town Hall, 2300 Elmwood Avenue, in said Town of Brighton on the 27th day of April, 2016.

**PRESENT:**

WILLIAM W. MOEHLE,

Supervisor

JAMES R. VOGEL

LOUISE NOVROS

CHRISTOPHER K. WERNER

JASON S. DIPONZIO

Councilpersons

**BE IT RESOLVED**, that correspondence dated April 18, 2016 from Finance Director Suzanne Zaso regarding a request to authorize an increase in appropriations in certain Highway Department accounts totaling \$165,000.00 to be paid for by an increase in anticipated revenues of \$165,000.00 from a NYS Department of Transportation Grant for improvements to Highland Avenue from South Clinton Avenue to the City line, be received and filed; and further

**BE IT RESOLVED**, that the Town Board hereby authorizes the above described amendments to the 2016 budget of the Highway Department, all as more fully described in the above referenced correspondence.

Dated: April 27, 2016

William W. Moehle, Supervisor	Voting	_____
James R. Vogel, Councilperson	Voting	_____
Louise Novros, Councilperson	Voting	_____
Christopher K. Werner, Councilperson	Voting	_____
Jason S. DiPonzio, Councilperson	Voting	_____

# EXHIBIT NO 10

At a Town Board Meeting of the Town of Brighton, Monroe County, New York, held at the Brighton Town Hall, 2300 Elmwood Avenue, in said Town of Brighton on the 27th day of April, 2016.

**PRESENT:**

WILLIAM W. MOEHLE,  
Supervisor

JAMES R. VOGEL  
LOUISE NOVROS  
CHRISTOPHER K. WERNER  
JASON S. DIPONZIO

Councilpersons

**BE IT RESOLVED**, that two items of correspondence dated April 18, 2016 from Junior Engineer Chad Roscoe regarding a request to authorize the Supervisor to sign contracts with Empire Wrecking Company, Inc. along with any change orders that do not collectively exceed 10% of the contract amount with Empire Wrecking Company, Inc. for the demolition of the existing structure at 33 Remington Parkway at a cost not to exceed \$21,900.00 and for the demolition of the existing structure at 36 Landing Park at a cost not to exceed \$19,800.00 and to sign contracts with Envoy Environmental Consultants, Inc. along with any change orders that do not collectively exceed 10% of the contract amount to provide mandatory Air Monitoring and Sampling in connection with the demolition of the above referenced structures at a cost not to exceed \$1,049.00 per structure, be received and filed; and further

**BE IT RESOLVED**, that the Town Board hereby authorizes the Supervisor to sign contracts with Empire Wrecking Company, Inc. for the demolition of either 33 Remington Parkway at a cost not to exceed \$21,900.00 or both of the existing structures at 33 Remington Parkway and at 36 Landing Park at a combined cost not to exceed \$41,700.00 and to sign contracts with Envoy Environmental Consultants, Inc. to

provide mandatory Air Monitoring and Sampling in connection with the demolition of either 33 Remington Parkway or both of the above referenced structures at a cost not to exceed \$1,049.00 per structure and the Town Board further authorizes the Supervisor to execute any change orders for the above described work that do not collectively exceed 10% of the awarded contracts.

Dated: April 27, 2016

William W. Moehle, Supervisor	Voting	_____
James R. Vogel, Councilperson	Voting	_____
Louise Novros, Councilperson	Voting	_____
Christopher K. Werner, Councilperson	Voting	_____
Jason S. DiPonzio, Councilperson	Voting	_____

At a Town Board Meeting of the Town of Brighton, Monroe County, New York, held at the Brighton Town Hall, 2300 Elmwood Avenue, in said Town of Brighton on the 27th day of April, 2016.

**PRESENT:**

WILLIAM W. MOEHLE,  
Supervisor

JAMES R. VOGEL  
LOUISE NOVROS  
CHRISTOPHER K. WERNER  
JASON S. DIPONZIO

Councilpersons

**BE IT RESOLVED**, that correspondence dated April 25, 2016 from Environmental Review Liaison Officer Ramsey A. Boehner together with correspondence dated April 20, 2016 from Jerry A. Goldman, Esq., and a revised Draft Environmental Impact Statement ("DEIS") for the proposed Whole Foods Plaza project, be received and filed; and further

**BE IT RESOLVED**, that the Town Board hereby directs the Environmental Review Liaison Officer to forward the revised DEIS for the proposed Whole Foods Plaza project to the Town's consultant Stantec for its assistance in reviewing the revised DEIS for its completeness and adequacy for public review.

Dated: April 27, 2016

William W. Moehle, Supervisor	Voting	_____
James R. Vogel, Councilperson	Voting	_____
Louise Novros, Councilperson	Voting	_____
Christopher K. Werner, Councilperson	Voting	_____
Jason S. DiPonzio, Councilperson	Voting	_____

At a Town Board Meeting of the Town of Brighton, Monroe County, New York, held at the Brighton Town Hall, 2300 Elmwood Avenue, in said Town of Brighton on the 27th day of April, 2016.

**PRESENT:**

WILLIAM W. MOEHLE,

Supervisor

JAMES R. VOGEL  
LOUISE NOVROS  
CHRISTOPHER K. WERNER  
JASON S. DIPONZIO

Councilpersons

**WHEREAS**, a Map, Plan and Report regarding the formation of the Susquehanna Road & Northumberland Road Drainage District was filed in the Town Clerk's office on April 8, 2016 and a petition requesting the formation of said District was signed by residents representing in excess of one half of the assessed value of all residential taxable parcels in the proposed District, all pursuant to the provisions of Article 12 of the New York State Town Law; and

**WHEREAS**, the proposed District will provide a mechanism to fund proposed drainage improvements the cost of which will be distributed among the parcels that benefit from the proposed improvements. Said proposed District is to include six properties on Susquehanna Road and six properties on Northumberland Road. The proposed improvements include the installation of approximately 430 feet of twelve inch storm sewer and six storm inlets which will all connect to an existing storm sewer on Brooklawn Drive. It is estimated that the total cost of the construction for this project will not exceed \$23,000.00 which cost is to be bonded for a twenty year term at an estimated interest rate of 4.25% which would result in an approximate annual cost per single family home in the proposed District of \$160.00 the computation of which is set forth in detail in the Map, Plan and Report on file with the Town Clerk; now therefore it is hereby

**ORDERED**, that correspondence dated April 20, 2016 from Junior Engineer Chad Roscoe regarding formation of the proposed District and

the above referenced petition be received and filed; and be it further

**ORDERED**, that the Town Board hereby sets a public hearing to consider the formation of said proposed District for May 25, 2016 at 7:00 p.m. or as soon thereafter as the matter can be heard at Brighton Town Hall, 2300 Elmwood Avenue, in the Town of Brighton, County of Monroe and State of New York to hear all persons who have an interest in said proposed District formation; and be it further

**ORDERED**, that the Town Clerk be, and hereby is directed to publish a certified copy of this Order in the official newspaper of the Town and to post a certified copy of this Order on the signboard of the Town no sooner than twenty days and no later than ten days prior to said public hearing.

Dated: April 27, 2016

William W. Moehle, Supervisor	Voting	_____
James R. Vogel, Councilperson	Voting	_____
Louise Novros, Councilperson	Voting	_____
Christopher K. Werner, Councilperson	Voting	_____
Jason S. DiPonzio, Councilperson	Voting	_____